IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO: 24976 of 2004

Between:

1 V.Yellaiah S/o.Late Rajaiah
H.No.2031/A, Gachibowli Village, Serilingampally Mandal,
Ranga Reddy Dist.
2 V.Lakshminaryanha S/o.Late Rajaiah
H.No.2031/A, Gachibowli Village, Serilingampally Mandal,
Ranga Reddy Dist.

..... PETITIONERS

AND

1 The Govt of A.P. Rep by the Principal Secretary Revenue Department,

Secretariat Hyderabad.
2 The District Collector, Ranga Reddy Dist, Lakdi-ka-pool, Hyderabad.
3 The Mandal Revenue Officer Serilingampally Mandal,
4 The Commissioner, Serilingampally Municipality,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to o issue an order or direction or Writ more appropriately one in the nature of Writ of Mandamus to declare the inaction of the Respondents in considering the representations of the petitioners for grant/assignment of land in an extent of nearly 1000 sq.yards in Sy.No.119 of Gachibowli Village, Serilingampally Municipality, Ranga Reddy Dist as illegal and further direct the 1st to 3rd Respondents to consider and grant/assign the said land on which the Petitioners constructed their house No.2-31/A along with Cattle Shed as per GOMS No.455, dt.29-7-2002 and GOMS No.515, dt.19-04-2003, on market value forthwith.

Counsel for the Petitioners: MR.K.RAJANNA
Counsel for the Respondents 1 to 3: GP FOR REVENUE/ASSIGNMENT
Counsel for the Respondent No.4: SRI P.RADHA KRISHNA

The Court at the stage of admission made the following:

HONOURABLE MS.JUSTICE G.ROHINI

WRIT PETITION NO.24976 OF 2004

ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Assignment appearing for the respondents.

The petitioners seek a writ of Mandamus declaring the alleged inaction on the part of the respondents in considering the representations of the petitioners for assignment of land to an extent of 1000 sq.yards situated in Sy.No.119 of Gachibowli Village, Serilingampally Municipality, Ranga Reddy District, as arbitrary and illegal.

The case of the petitioners is that they have been in occupation of the land situated in Sy.No.119 of Gachibowli village for the last more than 30 years and they have been paying tax to the Revenue authorities. It is stated that they constructed their houses, having obtained the permission from the Commissioner of Serilingampally Municipality, and in the circumstances they made representations to the respondents 2 and 3 i.e., the District Collector, Ranga Reddy, as well as the Mandal Revenue Officer, Serilinampally, for regularization of the houses constructed by them on the land in question. Aggrieved by the alleged inaction on the part of the respondent to consider their representations, this writ petition is filed.

The learned Government Pleader on instructions states that the land in Sy.No.119 has been classified as Poramboke Sarkari. Though the fact that the petitioners have been in occupation of the said land has not been denied, it is stated that they have encroached into the Government land and they failed to produce the necessary documentary evidence with regard to the structures raised by them, and therefore, their request for regularization could not be considered.

In the above circumstances, without expressing any opinion with regard to the entitlement of the petitioner for regularization as sought by them, the writ petition is disposed of granting leave and liberty to the petitioners to submit the necessary documentary evidence to substantiate their claim before the respondents. If the documents are produced within a period of two weeks from today, the respondents shall consider the request of the petitioners for regularization of the houses constructed by them in Sy.No.119 of Gachibowli Village, Serilingampally Municipality, Ranga Reddy District, and pass appropriate orders in accordance with law, as expeditiously as possible, preferably within a period of four weeks thereafter.

Accordingly the Writ Petition is disposed of. No costs.

G.ROHINI, J

12th April, 2005

Note:

Furnish C.C.

by 3 days.

B/o.

skm

To

1 The Principal Secretary to Govt of A.P. Revenue Department,

Secretariat Hyderabad.
2 The District Collector, Ranga Reddy Dist, Lakdi-ka-pool, Hyderabad.
3 The Mandal Revenue Officer Serilingampally Mandal,
4 The Commissioner, Serilingampally Municipality,

5 Two C.Cs. to G.P. for Revenue,

High Court Buildings, High Court of A.P., Hyderabad, (OUT)

6 Two C.D. copies.

*Form-NIC-OGS/WP{**MVK**}*